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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FINJAN, INC., a Delaware Corporation,

Plaintiff,

v.

CISCO SYSTEMS, INC., a California
Corporation,

Defendant.

Case No.: 5:17-cv-00072-BLF-SVK

**DECLARATION OF NICOLE E. GRIGG IN
SUPPORT OF DEFENDANT CISCO
SYSTEMS, INC.'S NOTICE RE THE
IMPACT OF THE COVID-19 PANDEMIC
ON THE JUNE 1 TRIAL DATE**

REDACTED

1 I, Nicole E. Grigg, declare as follows:

2 1. I am an attorney at the law firm of Duane Morris LLP and am counsel for Defendant
3 Cisco Systems, Inc. ("Cisco"). I have personal knowledge of the matters set forth in this Declaration,
4 and if called as a witness, could and would testify competently to such facts under oath. I submit
5 this Declaration in support of Cisco's Notice Re the Impact of the COVID-19 Pandemic on the June
6 1 Trial Date.

7 2. Most of Cisco's witnesses will be traveling by air to San Jose from around the country
8 (and, in four instances, from outside of the United States) for this trial. These witnesses and the
9 locations from which they would be flying are as follows:

10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

- 19 i. Stephen Becker (expert witness): Austin, Texas
20 j. Patrick McDaniel (expert witness): State College, Pennsylvania
21 k. Atul Prakash (expert witness): Ann Arbor, Michigan
22 l. Walter Overby (expert witness): Des Moines, Iowa

23 3. Trial counsel for Cisco will be traveling to San Jose from Atlanta, Georgia and
24 Philadelphia, Pennsylvania.

25 4. At least some of Cisco's witnesses and family members of Cisco's fact witnesses,
26 experts, and trial team are considered at higher risk for severe illness from COVID-19.

27 [REDACTED]
28 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 6. Phillip Kwok did the coding for a disputed aspect of an AMP product.

5 7. Srinivas Kuruganti was going to attend trial to provide testimony on the AMP for

6 ESA product.

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 9. Attached hereto as **Exhibit A** is a true and accurate copy of excerpts from the March

22 26, 2020 transcript of proceedings before Judge Freeman.

23 10. Attached hereto as **Exhibit B** is a true and accurate copies of guidelines accessed

24 from the Centers for Disease Control and Prevention's website titled "Coronavirus and Travel in the

25 United States" and "COVID-19 Travel Recommendations by Country."

26 11. Attached hereto as **Exhibit C** is a true and accurate copy of a press release accessed

27 from the Santa Clara County Public Health website titled, "Joint Statement of the Seven Bay Area

28 Health Officers on Upcoming Extension and Revisions to the Current Shelter-in-Place Orders,"

1 dated April 27, 2020.

2 12. Attached hereto as **Exhibit D** is a true and accurate copy of an article accessed from
3 the Centers for Disease Control and Prevention's website titled, "People Who Need to Take Extra
4 Precautions."

5 13. Attached hereto as **Exhibit E** is a true and accurate copy of a publication accessed
6 from the Canadian Government's website titled, "Pandemic COVID-19 all countries: avoid non-
7 essential travel outside Canada," updated April 19, 2020.

8 14. Attached hereto as **Exhibit F** is a true and accurate copy of guidelines accessed from
9 the Centers for Disease Control and Prevention's website titled, "Social Distancing, Quarantine, and
10 Isolation."

11 15. Attached hereto as **Exhibit G** is a true and accurate copy of General Order No. 72
12 from the Northern District of California titled, "In Re: Coronavirus Disease Public Health
13 Emergency."

14 16. Attached hereto as **Exhibit H** is a true and accurate copy of Executive Order N-33-
15 20 for the State of California proclaiming a state of emergency for the State due to COVID-19.

16 17. Attached hereto as **Exhibit I** is a true and accurate copy of guidelines accessed from
17 the White House's website titled, "Opening Up America Again."

18 18. Attached hereto as **Exhibit J** is a true and accurate copy of projections accessed from
19 the Institute of Health Metrics and Evaluation's website titled, "COVID-19 estimation updates –
20 COVID-19: What's New for April 22, 2020."

21 19. Attached hereto as **Exhibit K** is a true and accurate copy of a statement from Acting
22 Secretary Chad Wolf on Non-Essential Travel, dated April 20, 2020, accessed from the U.S.
23 Department of Homeland Security's website.

24 20. Attached hereto as **Exhibit L** is a true and accurate copy of guidelines accessed from
25 www.pandemic.internationalosos.com titled, "Travel Restrictions, Flight Operations and Screening."

26 21. Attached hereto as **Exhibit M** is a true and accurate copy of a fact sheet titled "DHS
27 Notice of Arrival Restrictions on China, Iran and Certain Countries of Europe," released March 17,
28 2020, and accessed from the U.S. Department of Homeland Security's website.

24. Attached hereto as **Exhibit P** is a true and accurate copy of an article titled, “Courts Begin to Consider Guidelines for Reopening,” dated April 27, 2020, accessed from www.uscourts.gov.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on April 28, 2020, in Alameda, California.

DECLARATION OF NICOLE GRIGG IN SUPPORT OF CISCO'S NOTICE RE: THE IMPACT OF COVID-19 PANDEMIC
CASE No. 5:17-cv-00072-BLF-SVK